

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
MDL No. 3076
Case No. 1:23-md-03076-KMM**

**IN RE:
FTX Cryptocurrency Exchange Collapse Litigation**

This document relates to:

FTX Promoter Defendants

FTX Insider Defendants

**PLAINTIFFS' UNOPPOSED MOTION TO STAY LITIGATION AS TO FIRST TRANCHE OF
SETTLING DEFENDANTS PENDING OMNIBUS MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENTS**

Since the Judicial Panel on Multidistrict Litigation created the FTX MDL and transferred it to this Court, Plaintiffs and their Counsel have worked assiduously to investigate and prosecute any and all claims against all parties bearing any responsibility for the FTX Collapse and the damages caused to Plaintiffs and the Global Class of FTX Investor Victims they seek to represent. At the same time, Plaintiffs have focused substantial efforts and resources on working to resolve claims against FTX MDL Defendants, where possible, in order to obtain valuable relief for the Global Class, be it through direct monetary contributions from FTX MDL Defendants or information and cooperation necessary to assert the strongest claims possible against the most culpable parties in order to ultimately maximize the relief obtained for the Global Class.

After over 9 months and hundreds of phone calls, emails, and mediation sessions both in-person and via Zoom, Plaintiffs have achieved global class action settlements with eleven FTX MDL Defendants (the "First Tranche of Settlements"): FTX Insider Defendants, Gary Wang, Nishad Singh, Caroline Ellison, and Dan Friedberg, as well as FTX Promoter Defendants, William

Trevor Lawrence, Kevin Paffrath, Tom Nash, Brian Jung, Graham Stephan, Andre Jikh, and Jeremy LeFebvre (collectively, the “Settling Defendants”).

As will be demonstrated when Plaintiffs move for preliminary, and, ultimately, final approval of the First Tranche of Settlements, their terms are fair, adequate, and reasonable, provide significant and important relief for the Global Class of FTX Investor Victims, materially advance these MDL proceedings as a whole, and streamline the issues for the Court to consider and resolve going forward, bringing the FTX MDL proceedings that much closer to a global resolution.

Given that the Settling Defendants’ motions to dismiss are currently fully briefed and pending decision from the Court, and to facilitate finalizing the formal settlement and preliminary approval documents, Plaintiffs therefore respectfully move this Honorable Court for an order (1) staying all litigation as to the Settling Defendants, pending Plaintiffs moving for preliminary approval of the First Tranche of Settlements; and (2) giving Plaintiffs until March 27, 2024 to file their omnibus motion for preliminary approval.¹

Plaintiffs have conferred with counsel for the Settling Defendants and are authorized to represent that no Settling Defendant opposes this request.

CONCLUSION

For the reasons stated herein, Plaintiffs respectfully request the Court enter an order staying all litigation as to the Settling Defendants until March 27, 2024, so Plaintiffs and Settling Defendants can finalize the formal settlement documents and so Plaintiffs can prepare and file their motion for preliminary approval of the First Tranche of Settlements in this FTX MDL. A proposed Order granting this unopposed motion is attached as **Exhibit A**.

¹ Plaintiffs ask the Court to merely extend the stay of litigation already in place as to the FTX Insider Settling Defendants.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1 (a)(3)

In compliance with Local Rule 7.1(a)(3), Plaintiffs' counsel certify they have conferred with counsel for all Settling Defendants in a good faith effort to resolve any issues raised in this motion and are authorized to state that none oppose the relief sought in this motion.

Dated: March 11, 2024,

Respectfully submitted,

<u>Plaintiffs' Co-Lead Counsel</u>	
<u>By: /s/ Adam Moskowitz</u> Adam M. Moskowitz Florida Bar No. 984280 Joseph M. Kaye Florida Bar No. 117520 THE MOSKOWITZ LAW FIRM, PLLC Continental Plaza 3250 Mary Street, Suite 202 Coconut Grove, FL 33133 Office: (305) 740-1423 adam@moskowitz-law.com joseph@moskowitz-law.com service@moskowitz-law.com	<u>By: /s/ David Boies</u> David Boies Alex Boies Brooke Alexander BOIES SCHILLER FLEXNER LLP 333 Main Street Armonk, NY 10504 Office: (914) 749-8200 dboies@bsfllp.com aboies@bsfllp.com balexander@bsfllp.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was filed on March 11, 2024, via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ Adam Moskowitz

Adam Moskowitz